

DEFENDANT'S EXHIBIT B

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

AIR FORCE INSTRUCTION 24-301

1 NOVEMBER 2001



Transportation

VEHICLE OPERATIONS

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction establishes procedures and standards for managing Vehicle Operations Flights on Air Force installations. It implements AFD 24-3, *Operation, Maintenance, and Use of Transportation Vehicles and Equipment*. It applies to all Air Force organizations that operate and control Air Force motor vehicles (owned or leased) and watercraft. Vehicles and watercraft financed through Nonappropriated funds are exempt from this instruction. Send comments and suggested improvements on AF Form 847, **Recommendation for Change of Publication**, through major command transportation channels to Headquarters United States Air Force, Directorate of Transportation (HQ USAF/ILT), 1030 Air Force Pentagon, DCS Installations & Logistics, Washington D.C. 20330-1030.

SUMMARY OF REVISIONS

This revision incorporates Interim Change (IC) 01-1 and provides policy for pickup and delivery operations. A (I) indicates revision from the previous edition. The entire text of the IC is at the last attachment.

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Chapter 2

OFFICIAL USE OF VEHICLES

2.1. Official Use of Government Vehicles. Statutory law (40 U.S.C. Section 491) prescribes that DoD establish (DoD 4500.36-R, Management, Acquisition, and Use of Motor Vehicles) an effective means of limiting the use of government motor vehicles (GMV) to official governmental purposes. One simple rule applies with respect to official use of government vehicles:

Restrict the use of all DoD motor vehicles, including those rented or leased, to official purposes only, that is, uses that would further the mission of the Air Force. Providing a government vehicle solely or even principally to enhance the comfort or convenience of the member(s) is not permitted.

Unauthorized use of government vehicles often results in unnecessary expenditure of funds and public criticism. Although the major goal of the vehicle operations flight is to provide quality support, commanders and vehicle managers must know vehicle use restrictions and ensure the base populace is knowledgeable on what constitutes official use. Refer requests not conforming to governing directives to the VOO or VOS.

2.2. Penalties for Misuse of DoD Motor Vehicles. Misuse and/or failure to prevent misuse of government-owned or -leased vehicles is punishable under Title 31 U.S.C. Section 1349. The unauthorized or willful misuse of a government motor vehicle can be cause for the following disciplinary actions:

2.2.1. Military Personnel. Subject to disciplinary action under provisions of the Uniform Code of Military Justice or other administrative procedures deemed appropriate.

2.2.2. Civilian Personnel. Subject to suspension from duty by SECAF, without pay, for not less than 1 month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant.

2.3. Vehicle Misuse Investigation. Report all suspected misuses to the base transportation office. Transportation conducts a technical assessment of the incident to determine if regulatory official use guidance has been violated. All substantiated allegations, along with the technical assessment, will be forwarded to the appropriate unit commander for investigation. Maintain a log of all suspected misuse cases reported to transportation and a case file on each substantiated allegation.

2.4. Priority of Transportation Services/ Making Official Use Determinations. When vehicle transportation is essential to the performance of official business, the following methods shall be considered in the order shown, to the extent they are available and capable of meeting mission requirements:

2.4.1. DoD scheduled bus service.

2.4.2. Scheduled public transportation.

2.4.3. DoD-owned, rented or leased motor vehicle.

2.4.4. Voluntary use of privately owned vehicle (POV) on a reimbursable basis.

2.4.5. Commercial taxicab on a reimbursable basis.

2.5. Making Official Use Determinations. When questions arise about official use of motor vehicles, they shall be resolved in favor of strict compliance with statutory provisions and the policies of this instruction. When guidance does not specifically fit a request for transportation support, commanders will use the following factors when making official use determinations:

- 2.5.1. Is the purpose of the trip official?
- 2.5.2. Does the request have the potential to create a perception that will reflect unfavorably on the Air Force or cause public criticism?
- 2.5.3. Will the request impact on mission requirements?
- 2.5.4. Is commercial or DoD scheduled transportation available? It is important to note that the Air Force does not provide transportation support that competes with commercial services.

2.6. Authorized Uses of Government Vehicles (non-inclusive):

2.6.1. Temporary Duty. Transportation may be provided between lodgings and duty stations for personnel on temporary duty when public or commercial facilities are inadequate or nonexistent. The temporary duty status of an individual does not necessarily justify the use of a DoD motor vehicle. Use of the vehicle will always be predicated on need, distance involved, and other conditions that justify their use. *When an adequate DoD or commercial bus system is available, the use of any individual motor vehicle or commercial rental car is prohibited.* When authorized, a government motor vehicle may be operated:

2.6.1.1. Between places where the member's presence is required for official business, or between such places and temporary lodgings.

2.6.1.2. Between places of business or lodging and eating establishments, drugstores, barber shops, places of worship, cleaning establishments, and similar places required for sustenance of the member. If used off-base, restrict the use of these vehicles to reputable eating establishments in reasonable proximity to the installation.

2.6.1.3. Between places of business or lodging and installation bowling centers, officer and non-commissioned officer clubs, gymnasiums or any on-base non-appropriated fund activity (i.e., golf courses, rod & gun clubs, etc.) facilities required for the comfort or health of the member. Use of motor vehicles for transportation to or from any other entertainment or recreational facilities is prohibited.

2.6.2. Units may provide transportation to military and civilian personnel officially taking part in public ceremonies, parades, and military field demonstrations. This is not to be interpreted as authority to transport a member's relatives or personal friends invited to attend activities such as retirements, promotions, awards ceremonies, dedications, funerals, or any other similar type functions.

2.6.3. Transport civilian organizations (nonreimbursable) to military installations to take part in base activities in the interest of community relations when officially invited and approved by the installation commander or other competent authority. This is not to be interpreted as authority to transport a member's relatives or personal friends invited to attend activities such as retirements, promotions, awards ceremonies, dedications, funerals, or any other similar type functions.